

The Planning Commission for the City of Junction City met on Wednesday, April 15, 2015 at 6:30 p.m. in the Council Chambers at City Hall, 680 Greenwood Street, Junction City Oregon.

**PRESENT WERE:** Planning Commissioners, Jason Thiesfeld (Chair), Jack Sumner (Vice Chair), James Hukill, Stuart Holderby, Jeff Haag, Ken Wells and Sandra Dunn; City Planner, Jordan Cogburn and; Planning Secretary, Tere Andrews; **ABSENT:** Alternate, Kevin Cross

**I. OPEN MEETING AND REVIEW AGENDA**

Chair Thiesfeld opened the meeting at 6:30 pm and led the Pledge of Allegiance.

**II. PUBLIC COMMENT (FOR ITEMS NOT ALREADY ON THE AGENDA)**

There was none.

**III. APPROVAL OF MINUTES**

• **MARCH 18 2015**

**Motion:** Commissioner Haag made a motion to approve the March 18, 2015 minutes as written. Commissioner Dunn seconded the motion.

**Vote:** Passed by a vote of 7:0:0. Chair Thiesfeld, Commissioners Dunn, Hukill, Haag, Sumner, Holderby, and Wells voted in favor.

**IV. PUBLIC HEARING: PROPOSED PLANNED UNIT DEVELOPMENT AND CONDITIONAL USE PERMIT (PUD-14-01 & CUP-15-01)**

Chair Thiesfeld opened the public hearing for the Planned Unit Development and Conditional Use Permit, File #'s PUD-14-01 and CUP-15-01 and asked if any Commissioner had a bias, ex parte contact or conflict of interest to declare.

Commissioner Wells stated his daughter-in-law worked for Hayden Homes. He declared his ability to make an unbiased decision.

**Staff Report**

Planner Cogburn reviewed the staff report. The current proposal, Rolling Meadows Planned Unit Development complied with standards set in the 2012 Comprehensive Plan update which required nine (9) acres of medium density residential lands, one (1) acre for High Density Residential and the remained as

Low Density Residential. Applications for Planned Unit Developments were processed under a Conditional Use Permit, a Type III land use action.

The Findings of Fact were reviewed. The applicant had submitted all necessary materials. All on-site streets would be dedicated to the City. Staff found with public dedication of the wetlands as Open Space, the need for a home owners associate may not be needed.

The proposed densities for areas of Low Density Residential, Medium Density Residential and High Density Residential were within the average density ranges described in the Junction City Comprehensive Plan.

The entry sign shall be installed as part of Phase I. There were eight (8) phases of development with completion by 2024.

Staff found the proposal was consistent with the Comprehensive Plan. City services could be provided to the site. Oaklea Drive was a Lane County road. Lane County Transportation would require a facilities permit for work on Oaklea Drive.

The proposal included landscaping, enhancement of natural areas and pedestrian paths on the 18.5 acres of designated wetlands along the west property line. According to the Junction City Parks & Open Spaces Master Plan, parks should be provided within a half mile radius. In order to meet that standard staff recommended the park be included within the first three (3) phases. Staff recommended conditional approval. Conditional Use criteria had been met.

Commissioner Haag asked how the storm water would be handled.

Planner Cogburn responded there was a system of gutters proposed that would eventually drain to Flat Creek.

Chair Thiesfeld suggested that if the pocket park moved north two (2) streets over to lots 88 and 84, it could serve the area encompassed within the first three phases.

### **Testimony**

Chair Thiesfeld asked if there was anyone who wished to offer testimony.

Mr. Jesse Loverin, Hayden Homes, 2464 SW Glacier Place, Suite 110, Redmond Oregon said Hayden Homes; the applicant was willing to relocate the pocket park. The intent of the proposed location was to serve the area proposed as high density residential housing. He noted moving the park north placed it farther away

from that area. Locating the park at the end of the block offered parking on three sides of the park.

He asked to confirm that the PUD was the process for the rezoning. The rezoning needed to be applied to the site to be in compliance with the Comprehensive Plan.

Planner Cogburn replied the Comprehensive Plan stated a PUD was required as was the open space. The open space could be zoned R1 however as part of the subdivision criteria there was a requirement for open space.

Mr. Loverin thanked Planner Cogburn. He confirmed that if the wetland were zoned to R1 the subdivision criteria would still require open space.

Planner Cogburn agreed.

Mr. Loverin asked if there would be a Parks SDC (System Development Charge) credit for the pocket park. He said there was interest in exploring other types of credits in exchange for the pocket park.

Planner Cogburn said the Junction City Municipal Code allowed for some flexibility on the issue.

Mr. Loverin said Hayden Homes would like to preserve the right to decide on the use of a Home Owners' Association. They would like to save that decision for later in the process when the need for such a mechanism was more evident.

Hayden Homes was engaged in very preliminary discussion with the property owner to the north regarding bringing W 10<sup>th</sup> Avenue through. He asked that the extension of W 10<sup>th</sup> Avenue occur with each phase as it developed.

In regard to the zone of benefit for the pump station located on W 12<sup>th</sup> Avenue, they requested payment be on a pro-rata basis for each phase as it developed.

Planner Cogburn responded the zone of benefit applied specifically to this property and proposed development. It had also been discussed since the initial talks prior to application submittal that the zone of benefit fee would be paid in full at the time of the first phase. This was a condition from Public Works.

Mr. Loverin proposed modification of the boundary lines to follow the boundary of the first three phases. The zone of benefit appeared to be tied to the exiting parcels; he asked how a proposal for property line adjustment might affect the fees related to the zone of benefit.

Hayden Homes understood requirements for improvements to Oaklea Drive, including bike lanes. However, they requested not to make improvements to the east side of Oaklea Drive, when the subject property was on the west side of Oaklea Drive.

Commissioner Sumner asked where bike lanes would be required.

Mr. Dan Ingram, Lane County Transportation, 3040 N. Delta Hwy Eugene, OR 97408, responded per the traffic impact analysis, a left turn lane would be required. The left turn lane would have to be constructed in the middle of Oaklea Drive. Lane County Code required a travel lane, a bike lane, and then the curb and gutter. That would be 17-feet wide. The proposed half street improvement placed the 17-feet on one side of the centerline, with the addition of a 6-foot turn lane, forced either improvements to the east half of Oaklea Drive or changes to the alignment of the road. The improvement to the east side of the road was not a bike lane but a travel lane for north-bound traffic.

Chair Thiesfeld asked if there would be sidewalks.

Mr. Ingram replied, no, it would be a travel lane to accommodate the left hand turn lane.

Commissioner Haag said that made sense, the road was pretty narrow through that area.

Commissioner Sumner asked how much of a right-of-way existed there.

Mr. Ingram responded there was probably sufficient right-of-way with the exception of the portion of Oaklea Drive south of W 6<sup>th</sup> Avenue, the right-of-way was smaller. The Lane County Transportation conditions were written such that it would accommodate construction within the right-of-way without an issue.

Chair Thiesfeld asked if there were any further questions from the Commission.

There was none.

Mr. Loverin said he had two (2) other items to address. A concern Hayden Homes had after discussion with the Seller, was the ability to modify the layout at a later date. The proposed layout was created by Hayden Homes. Hayden Homes was going to purchase 25 acres, the first three (3) phases. The remainder of the site was still held by the Seller. He asked was there a mechanism to modify the layout at a later date. If there was such a mechanism,

Hayden Homes would propose not showing the lots for areas outside of the first three phases.

Planner Cogburn replied to the question of modification to the layout at a later date, Hayden Homes provided a visual representative of how the densities (LDR, MDR & HDR) would layout to meet the requirements of the Comprehensive Plan. Some density can be demonstrated without lot lines, using acreage instead. The important piece was the nine acres of MDR, 1 acre of HDR and remainder as LDR. Minor changes could be approved by city staff. However, those modifications shall not increase density, boundary lines, use, location or amount of land devoted to specific land uses.

Chair Thiesfeld asked would the plan be out of compliance with the Parks Master Plan; the park being in a phase that could be years out.

Planner Cogburn replied it was not a requirement of the Parks Master Plan to have even a quarter mile service radius, it was a strong recommendation. If the parks were delayed to later phases, it raised the question of available recreational uses for the ultimate population of the subdivision. For example in the first phase with 41 single family dwelling units, and an average per household of 2.48 individuals, the population neared 100 residents who would not be served by a particular park. Subdivision criteria stated should the Planning Commission condition it as such, at least one (1) acre of park to serve that population or payment into the Parks System Development.

Mr. Mike Kelley, 5200 Meadows Road, Lake Oswego, Oregon 97095, said he was one of the owners of The Reserve (subdivision north of subject site). He explained, he put in the pump station, the City required him to up-size, and he spent \$885,000.00 on the pump station. The pump station had to reach to the southern boundary of Mr. Brink's property (subject site). The total reimbursement from the \$885,000.00 was \$200,00.00+. If they had to do their own pump station it would be at least \$500,000.00. He had been assured at the time the pump was constructed, should that connection be made, he would be paid with interest.

He dedicated 11 acres to the city; they also paid their SDC's (System Development Charges) for parks on 97 lots. The city has yet to even tear the barn down on the property (11 acres). The barn was a tremendous danger, with the money he paid into the parks fee, it would be appropriate to have the barn removed.

Some Commissioners voice agreement about the barn.

As far as Planner Cogburn understood, the Parks Committee was currently looking at it.

Mr. Robert Brink, 1210 Rose Street, Junction City, Oregon, said he represented Oaklea Enterprises, the property owners of the Rolling Meadows PUD, they sent a letter in stating they were not in agreement with the proposal from Hayden Homes. To date, they were still not in agreement. He asked what the position of the Planning Commission was since they were not in agreement. There were all sorts of issues (regarding the proposed PUD from Hayden Homes) that the property owners had not had a chance to look at yet. He pointed out that the wetland area proposed for dedication to the city was not owned by Hayden Homes. He wanted to sell 25 acres to Hayden Homes, but at the end of the day, the property owners wanted to know what was left to them. The agreement with Hayden Homes was to purchase all of the property over time, unless Oaklea Enterprises became involved themselves. They had not been in the loop.

Planner Cogburn said he received a signed application from Nancy Brink showing the property owner as Oaklea Enterprises and the applicant as Hayden Homes. He asked Mr. Brink if, at this time, he suggested the public hearing be continued to a date certain in order to work out some of the issues.

Commissioner Holderby asked Mr. Brink about other issues.

Mr. Brink replied the PUD as proposed required dedication of 18.5 acres of wetlands as open space, this area was owned by Oaklea Enterprises not Hayden Homes.

Mr. Loverin stated Hayden Homes would not proceed without agreement from the Property Owners.

Planner Cogburn asked Mr. Brink what he would request at this time.

Mr. Brink said he wanted to move forward but not at a speed that did not allow for review and understanding particularly for the wetlands and drainage plans.

Commissioner Holderby asked Planner Cogburn what other assurances the city could offer about the feasibility of the project in regard to the wetlands and the ability to put run-off in those areas without coming across anything from the State.

Planner Cogburn answered ultimately the city could not offer a position on that, it was a DSL (Oregon Department of State Lands) issue. At this time he felt it was appropriate to request the public hearing be continued to a date certain.

Commissioners Haag and Dunn agreed.

Mr. Brink said he had not heard anything tonight that could not be overcome; the details could be worked out.

Mr. Mike Cahill, 887 Maple Street, Junction City Oregon cautioned the Commission in their consideration of reductions in the setbacks and lot sizes. He encouraged the Commissioner to consider the quality of life for future residents.

Mr. Scott Davis, 5367 'I' Street, Springfield Oregon, one of the owners of the 5-acre parcel at W 10<sup>th</sup> Avenue and Oaklea Drive. He wanted to be included in discussion about connectivity. The proposal looked as though Brackenridge Street in The Reserve would go straight through to the subject site, which would include the backside of his property. He asked about Alderdale, would it go through as well.

Mr. Loverin was more than willing to take part in discussion with Mr. Davis regarding connection of streets near/on his property and any reserve strips.

Commission Sumner asked about the extension of W 10<sup>th</sup> Avenue.

Mr. Loverin responded Hayden Homes would build a  $\frac{3}{4}$  street on the Hayden property and work with Mr. Kelly, if he is amenable, to build the remaining  $\frac{1}{4}$  street.

Chair Thiesfeld wanted to see the public hearing continued to a date certain in order to allow time for Oaklea Enterprises and Hayden Homes to work out the issues.

Commissioners Holderby and Haag expressed their desire to hear from others who wished to speak.

Mr. Eric Jacobson, 94100 Oaklea Drive, Junction City OR 97448, said he owned the farm land on the south side of the subject site. He asked about setbacks along the shared property line and expressed concern for his animals that residents might throw things onto his property.

Planner Cogburn responded the rear yard setbacks were 15-feet, this applied to the south property line shared by Mr. Jacobson and the subject site. As far as someone throwing things over the fence, the property line was also city limits, the subject site was inside the city limits and Mr. Jacobson's property was in the County. Reporting such an issue would be County jurisdiction.

Mr. Loverin said Oaklea Enterprises and Hayden Homes needed to be speaking the same language. Hayden Homes wanted to work with the property owners to the north as well. He asked if Hayden Homes and Oaklea Enterprises were able to come to a resolution, would it be possible to come back to the Planning Commission next week.

Planner Cogburn noted in order to do as Mr. Loverin requested, the Commission would need to set a date certain to continue the public hearing. There was also a question of whether or not noticing to property owners would be required per the city code. Should noticing be required, there was a 20 day lead time. Staff recommendation was to continue the public hearing to the next standing meeting date of May 20, 2015. Should the proposal be approved at that meeting, an additional meeting could be scheduled for the subsequent final approval review.

**Motion:** Commissioner Hukill made a motion to continue the public hearing on PUD-14-01/CUP-15-01, Rolling Meadows. Commissioner Sumner seconded the motion.

Mr. Wayne Earnshaw, 997 Walnut Street, Junction City Oregon requested notice of the continued public hearing be sent to him.

Commissioner Hukill rescinded his motion.

**Motion:** Commissioner Hukill made a motion to continue the public hearing on PUD-14-01/CUP-15-01, Rolling Meadows; to May 20, 2015 at 6:30 pm. Commissioner Dunn seconded the motion.

**Vote:** Passed by a vote of 7:0:0. Chair Thiesfeld, Commissioners Dunn, Hukill, Haag, Sumner, Sumner, and Wells voted in favor.

Chair Thiesfeld closed the public hearing for PUD-14-01.

## **V. SUB-14-01, ROLLING MEADOWS**

Since the public hearing for the Rolling Meadows PUD was continued, discussion of the subdivision application was not held.

## **VI. VAR-13-04, MOODY VARIANCE**

Mr. John Moody submitted a request for an extension on his variance (VAR-13-04) to the property dimension for his Juniper Street lot. It was approved by Planning Commission on April 15, 2014. The request was submitted on March



23, 2015. Staff confirmed no changes had occurred in surrounding land use regulations.

**Motion:** Commissioner Haag made a motion to approve the extension request for the Moody Variance, file# VAR-13-04 with a new expiration date of April 15, 2016. Commissioner Hukill seconded the motion.

**Vote:** Passed by a vote of 6:1:0. Chair Thiesfeld, Commissioners Hukill, Haag, Sumner, Holderby, and Wells voted in favor. Commissioner Dunn voted against.

**VII. PLANNING ACTIVITY REPORT**

Planner Cogburn reviewed the Planning Activity report with the Commission.

**VIII. COMMISSIONER COMMENTS**

There were none.

**VIII. ADJOURNMENT**

**Motion:** Commissioner Holderby made a motion to adjourn the meeting. Commissioner Hukill seconded the motion.

**Vote:** Passed by a vote of 7:0:0. Chair Thiesfeld, Commissioners Dunn, Hukill, Haag, Sumner, Holderby, and Wells voted in favor.

The meeting adjourned at 8:14 p.m.

The next regularly scheduled Planning Commission meeting would be Wednesday May 20, 2015 at 6:30 p.m.

Respectfully Submitted,

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Tere Andrews, Planning Secretary

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Jason Thiesfeld, Planning Commission Chair